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SEP 17 2024 *AKL*

September 10, 2024

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Clerk of the United States District Court for the Northern District of Illinois
Everett McKinley Dirksen United States Courthouse
219 S. Dearborn St.
Chicago, IL 60604

RE: Objection to Proposed Settlement in In re Clearview AI, Inc. Consumer Privacy Litigation,
No. 1:21-cv-00135.

1. I am James P. Massar; I live at 2424 McGee Ave., Berkeley, CA 94703 My email address is massar@alum.mit.edu.
2. I am writing to object to the proposed settlement agreement in In re Clearview AI, Inc. Consumer Privacy Litigation, No. 1:21-cv-00135.
3. I believe I am a member of the nationwide class and a member of the California/Illinois/New York/Virginia subclass. That is because I've resided in California between July 1, 2017 and June 21, 2024 and during that time images of my face were posted on the internet.
4. My objection applies to the Nationwide class.
5. I believe the settlement is inadequate and unfair to myself as well as other members of the settlement class for the following reasons:

a) The settlement agreement proposed does not include injunctive relief that would instruct Clearview AI to cease and desist from further scraping images of me from the Internet and in particular social media, and selling them to their customers without my consent and against my wishes. This should also apply to many other members of the class who do not wish this behavior to continue after they found out about it in the January 18, 2020 exposé in the New York Times by reporter Kashmir Hill (www.nytimes.com/2020/01/18/technology/clearview-privacy-facial-recognition.html), but will still have no ability to preclude these practices.

I attend numerous public gatherings, many political in nature, sometimes speaking. I also go to conventions where group and individual pictures are taken and shared on social media. I am thus unable to prevent images of my face from appearing on the Internet. Therefore, I am powerless to prevent Clearview AI from further collecting and selling my faceprint without my consent without injunctive relief from this court. I realize the court cannot reverse time, but it is distressing to realize that the behavior will be repeated over and over again under this proposed settlement when I object to it, I do not consent to it, and I am harmed by it.

Just one example of a video taken during the stated class-action interval with my face appearing clearly in it:

<https://www.youtube.com/watch?v=9W2Ie2wam8o>

And an article with numerous pictures of me in it:

<https://www.sfgate.com/local/article/MIT-card-counter-turned-Bay-Area-activist-profile-16983859.php>

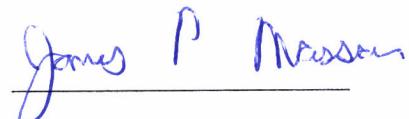
b. In order to be compensated for the harms I have experienced, the proposed settlement forces me to root for Clearview AI's success in the form of an initial public offering or a sale. I literally need to root for a business to do well that has harmed me and whose behavior I find immoral and objectionable! This from a company which has stolen and sold my faceprint to multiple clients across the country and the globe who I have never met, done no business with and who have no reason to own and utilize my personal image.

c. I am aware that I can opt out of the settlement, but I do not have the resources to pursue independent litigation against the company. I believed that I could rely on class action litigation to bring an end to the objectionable behavior and provide at least a pittance of compensation. It is disappointing to realize that this class action will not do the former and the latter may take many years if it comes to pass at all.

d. As reported in the press, Clearview AI sold my faceprint to over 2,200 different entities including the Department of Homeland Security, the FBI and the Trump campaign. In addition, my faceprint was sold to over 40 local law enforcement agencies in California. While I am a law-abiding person, I occasionally speak at protests, and it is unnerving at best and a threat to my safety at worst, for police departments and a possible future Trump-led DoJ to all have my name and identity in advance because they bought it.

In conclusion, I strongly object to the proposed settlement terms and implore the court to issue injunctive relief that will prevent further collection of images of my face and further sales of existing faceprints.

Sincerely,



James P. Massar

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NORTHERN DISTRICT OF ILLINOIS
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60604-189423